

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  LTDS CORPORATION,  Complainant,  vs.  QWEST CORPORATION,  Respondent.	DOCKET NO. FCU-03-51
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**AMENDED PROCEDURAL ORDER AND NOTICE OF HEARING**

(Issued March 12, 2004)

On March 10, 2004, LTDS Corporation (LTDS) filed a proposed procedural schedule. LTDS stated that it and Qwest Corporation (Qwest) have had numerous discussions related to settlement of their dispute and the talks have been unsuccessful. Therefore, the parties jointly request that the stay of the proceedings be lifted and a procedural schedule be established. LTDS and Qwest propose a procedural schedule acceptable to them. The proposal does not indicate whether the Consumer Advocate Division of the Department of Justice (Consumer Advocate) has also agreed to the procedural schedule.

The stay should be lifted and an amended procedural schedule be established with a date set for hearing. Other than the dates setting the procedural

schedule and hearing, the Order Establishing Procedural Schedule and Notice of Hearing issued December 1, 2003, remains in effect. Parties must include items referred to in the body of that order in their prefiled testimony, exhibits, and stipulations. LTDS filed its direct testimony and exhibits December 15, 2003.

**IT IS THEREFORE ORDERED:**

1. On or before March 23, 2004, Qwest must file prepared rebuttal testimony and exhibits as discussed in the body of this order. Qwest should use numbers 200 and following to mark its exhibits.
2. If the Consumer Advocate is going to file prepared rebuttal testimony and exhibits, it must do so by March 23, 2004. If this date is unacceptable to the Consumer Advocate, it must file a motion for a continuance no later than March 23, 2004. The Consumer Advocate should use numbers 300 and following to mark its exhibits.
3. If LTDS is going to file rebuttal or supplemental testimony and exhibits, it must do so by April 7, 2004.
4. LTDS and Qwest must submit draft stipulated facts as discussed in the December 1, 2003, procedural order and the proposed procedural schedule filed March 10, 2004, to the Consumer Advocate on or before April 13, 2004.
5. LTDS and Qwest must file stipulated facts and pre-hearing briefs as discussed in the body of the December 1, 2003, procedural order and the proposed procedural schedule on or before April 20, 2004. If LTDS and Qwest file stipulated exhibits with the stipulated facts, the exhibits should be marked "Stipulated Exhibit

400” and following. In the stipulation of facts, LTDS and Qwest must state whether the Consumer Advocate joins in the stipulation of facts. If the Consumer Advocate disagrees with any of the stipulated facts, it must file prepared testimony to support and explain its position on or before May 1, 2004.

6. If the Consumer Advocate chooses to file a pre-hearing brief, it must do so on or before April 20, 2004.

7. A hearing for the presentation of evidence and the cross-examination of witnesses will be held in the Board Hearing Room, 350 Maple Street, Des Moines, Iowa, on Thursday, May 20 and Friday May 21, 2004, beginning at 9:30 a.m. The parties should plan to come to the hearing room at 9:15 a.m. and be prepared to discuss matters that may expedite or improve the functioning of the hearing. Each party must provide a copy of its prepared testimony and exhibits to the court reporter. LTDS must provide a copy of any stipulated facts and exhibits to the court reporter. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

8. If needed, a post-hearing briefing schedule will be established at the conclusion of the hearing.

9. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination will become part of the evidentiary record of these proceedings. Pursuant to 199 IAC 7.2(6), the party making reference to the

DOCKET NO. FCU-03-51  
PAGE 4

data request must file one original and three copies of the data request and response with the Executive Secretary of the Utilities Board at the earliest possible time.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 12<sup>th</sup> day of March, 2004.